IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

Shanker Lal Bheel vs. State of Rajasthan & Ors.
(S.B.C.Writ Petition No.1077/03)

Date of Order :- 6th October, 2006.

PRESENT

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Mr.Harish Purohit, Advocate for the petitioner.
Mr.Rameshwar Dave,Dy.Government Advocate for the respondent.

The petitioner has challenged the order dated 24.8.2000 whereby the respondents have granted him benefit of selection grade on completion of 18 years of service w.e.f. 25th July, 1992 on which date the scheme of second selection scale was introduced by the government for the members of subordinate services and third selection scale on 2.1.1994.

The grievance of the petitioner is that even though his initial appointment was made as a cleaner by order dated

2.1.1967 but his subsequent appointment made on the post of Borer vide order dated 29.11.1973 was also by way of direct recruitment and therefore the respondents have wrongly granted him second selection scale w.e.f. 25.6.1992 in treating his appointment on the post of Borer vide order dated 29.11.1973 as a promotion.

I have heard Mr.Harish Purohit, learned counsel for the petitioner and Mr.Rameshwar Dave, learned Dy. Government Advocate for the respondents and perused the record.

A careful examination of the order dated 29.11.1973 make apparently clear that this order was passed in respect of as many as 20 Cleaners who appeared in the examination of Borer in the year 1970 and upon being declared successful they were temporarily promoted to the post of Borer on ad hoc basis for a period of three months in the first instance w.e.f. 1.12.1973. The promotion of the petitioner was subsequently made substantive on the post of

Borer. The fact remains that this was his first promotion and therefore when respondents passed the order dated 25.1.1992, the date on which the scheme of selection scale was introduced by the respondents, on the very same day ,they granted him the second selection scale because he had by then completed 18 years of service .

I do not find any merit in the argument of the petitioner that second selection scale should be allowed to him taking 29.11.1973 as the date of his initial appointment. There being no merit in the writ petition, the same is hereby dismissed. There shall be no order as to costs.

(MOHAMMAD RAFIQ),J.